

The County of San Bernardino Local Workforce Investment Board



Annual Solicitation of Interest (SOI) for

Individual Training Accounts Program



San Bernardino County
Workforce Investment Business Resource Office
215 North D Street Suite 201
San Bernardino CA 92415-0041

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A copy of the SOI is available on-line at
<http://www.sbcounty.gov/jesd/rfp/contractOpps.asp>

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A. Workforce Investment Act (WIA)

The Workforce Investment Act (WIA) mandates greater collaboration between the various entities currently serving jobseekers and employers. Its goal is to provide core services to the total workforce, while creating a system for seamless integration of services. This federal legislation supports the County of San Bernardino's need for a highly skilled and well-educated workforce. The Local Workforce Investment Board is the fiscal agent for local WIA Programs and has adopted a policy of annually conducting a Solicitation of Interest (SOI) for establishing an Eligible Training Provider List (ETPL). The minimum criteria for placement on the local ETPL will be providers who meet the following criteria:

- Successful completion of ETPL Application
- Training offered is for Demand Occupations
- Length of training period is no longer than 18 months
- Any training that exceeds \$5,000 must have the approval of the Director of JESD
- Adult job placement rate is equal to or greater than that established by the State of California
- Credential rate is equal to or greater than that established by the State of California

B. Individual Training Accounts

All training through the one-stop system will be provided through Individual Training Accounts (ITA). Under WIA, the new ITA training delivery system changed the focus from class-sized contracting to the empowerment of individuals to select the training institution of their choice. Individuals to be served with ITAs will have received core and intensive services in the One-Stop system and are still unemployed or are in need of upgraded training. Course of study will lead to certification or other qualification in the occupation training was provided.

C. Solicitation of Interest

The Workforce Investment Board is issuing this Solicitation of Interests (SOI) to qualify training providers for the initial list of training institutions approved by the San Bernardino County Workforce Investment Board and the State of California. Schools and educational institutions on the local ETPL list will be eligible to receive individual referrals from our Employment Resource Centers otherwise known as One-Stops to provide WIA-funded training to jobseekers who have been determined to need occupational training in order to obtain employment.

Schools and institutions qualified under this solicitation for initial eligibility will enter into service agreements/contracts that will specify the terms and conditions for payment by students accepted for instruction. Included in the SOI are the WIA Training Provider Application and the WIA Training Program Application, both of which are required by the State. The following training providers are initially eligible to respond to this SOI:

- Providers who receive funds under the Higher Education Act of 1965 and whose programs lead to an associate or baccalaureate degree or certificate;
- Providers who carry out their programs under the National Apprenticeship Act of August 16, 1937;

- Providers whose programs are approved by the California Department of Education;
- Providers whose programs are approved by the Chancellor's Office of the California Community Colleges;
- Providers who are either approved or have Special Registration of their program from the Bureau for Private Postsecondary and Vocational Education (BPPVE);

In addition to the above criteria:

1. A program shall be approved for initial eligibility only once. Thereafter, the program's eligibility will be determined under the subsequent eligibility criteria.
2. A program that has been modified in goals and/or curriculum shall be considered a new program subject to initial eligibility determination only if the regulatory body over the program has required that it be submitted to that body for approval as a new program.

D. Terms of Payment

Terms of Payment – eligible institutions may invoice the Jobs and Employment Services Department at the following times:

1. 25% at enrollment
2. 30% at 50% completion
3. 25% upon completion
4. 15% at placement
5. 5% at 6 month retention

E. Performance Accountability

The goal of the Workforce Investment Act is to establish a high performance workforce investment system that is customer-driven, results-oriented, flexible and continuously improving. This is clearly stated as the Act's purpose: To provide workforce investment activities that increase customers' employment retention, earnings and skill attainment; therefore, improving the quality of life.

F. Core Performance Indicators

There are 17 core measures of performance under WIA, of which six (6) apply to those programs eligible for an Individual Training Account (Adults, Dislocated Workers):

- Entered employment rate
- Employment retention
- Earnings replacement
- Earnings change in 6 months
- Employment and credential rate
- Customer satisfaction

These measures are the key indicators of success in achieving the goals of WIA.

G. Subsequent Eligibility

A provider of training services must achieve measures, results and provide accurate information in order to retain its status as an eligible provider. If a provider intentionally supplies inaccurate information or substantially violates any requirement under the Act, the provider's eligibility to receive funds for all programs shall be terminated for a period of time not less than two years.

H. Credential Rate

The credential rate must meet or exceed the State Rate.

I. Consumer Report Card

As required by WIA, the Workforce Investment staff will collect data on training provider's performance and customer satisfaction measures. An evaluation system will identify those measures used in the State Job Training Report Card and establish a procedure for collecting and providing this data to the State.

Once approved, in addition to the above information, training providers will also be requested to provide data, on a quarterly basis, on all individuals participating in the applicable program who are still employed in unsubsidized employment six (6) months after the first day of employment and their wages at these benchmarks. This information will be used in the preparation of the quarterly Job Training Report Card.

This report will be used as a key component in counseling prospective training candidates in the One-Stop system by providing them with additional information to make an informed choice of those training providers that are most successful and the occupational fields where hiring is occurring. The report will also be used to provide information and performance updates to the Workforce Investment Board and the Contracts and Performance Committee.

J. Responding to the SOI

All training providers proposing to be included on the Eligible Training Provider List are required to provide training, placement and salary information for the past twelve months on all training programs they offer in the application.

The required information is to be provided on Attachment D, ITA Training Employment and Wage Information Form. This information will be used to determine overall program performance and will be used in the evaluation process for determining whether or not the Workforce Investment Board and the Performance Committee will recommend a training provider approval.

Training, Placement and Salary information requested will include:

- Period begin date
- Period end date
- Participant universe (total number enrolled and exited in the performance period)
- Average wages at placement into unsubsidized employment of all individuals participating in the program

- Percentage of all individuals participating in the applicable program that completed training and obtained unsubsidized employment
- Percentage of graduates of the applicable programs that attained certifications, licenses, academic degrees or equivalents, or measure of skills
- Percentage of all individuals that retained employment over a set post-program period.

K. Design Standards

Occupational Areas

- Automotive Glass Technicians
- Carpenters
- Cashiers
- Child Care Workers
- Cooks -- Restaurant
- Drywall Installers
- Electricians
- Elementary School Teachers
- General Office Clerks
- Helpers – Carpenters and Related
- Janitors and Cleaners (except Maids and Housekeeping Cleaners)
- Legal Secretaries
- Loan Officers and Counselors
- Machinery Maintenance Mechanics
- Medical Assistants
- Nurse Aides
- Paralegal Personnel
- Plasterers and Stucco Masons
- Plumbers, Pipefitters, and Steamfitters
- Police Patrol Officers
- Receptionists and Information Clerks
- Registered Nurses
- Stock Clerks – Stockroom, Warehouse, Storage Yard
- Truck Drivers – Heavy or Tractor Trailer
- Truck Drivers – Light, including Deliver and Route Workers

This is not meant to be a finite list of occupations to be considered for proposed ITA training. Vendors are encouraged to submit other occupational training programs, but must show current labor market demand submitted at the time of application.

Length of Training – The maximum amount of time any enrollee may be in ITA training is 18 months.

Maximum Cost – A maximum expenditure of \$5,000 will be available under ITA training for any enrollee. Any expenditure exceeding \$5,000 per enrollee must have prior approval by the JESD Director. This maximum amount covers tuition, enrollment fees, books, supplies and materials specifically required for the courses and would be applicable to one class or series of classes, such as a course of study leading to a certificate or qualification for a new demand occupation.

Financial Assistance – Training providers shall give enrollees information regarding financial assistance, along with the appropriate forms and applications. If the enrollee qualifies for any type of financial aid award, the award must be applied toward the training cost before the ITA funds are accessed.

Enrollees shall not be required to apply for student loans or incur personal debt as a condition of participation.

Funds paid by the Workforce Investment Board under this program shall not be used in duplication of funds received by the enrollee under other federally financed assistance programs.

Placement into Jobs – It is expected that job placement services will be provided, at no additional cost, by the training institution. In addition, after completion of training, enrollees will be assisted in job search by the staff of the Employment Resource Center (One-Stop). Placement information must be provided to the Workforce Investment Board within 30 days of participants being placed in employment. Placement information will be used in conjunction with Job Training Report Card. Adult Placement Rate must meet or exceed the State rate.

Compliance with Americans with Disabilities Act – All organizations and facilities must be in compliance with the 1990 Americans with Disabilities Act (ADA). Under Title III of the Act, all privately operated public accommodations, commercial facilities and private entities offering examinations or training must make their goods and services accessible to persons with disabilities.

L. Provider Selection Process

The Employment Resource Center (One-Stop) will consider qualified training providers for approval, along with the Workforce Investment Board, based on information submitted in the application. All applications received by the Workforce Investment Board will be reviewed using the following criteria:

- Staff review and recommendation
- Employment Resource Center (One-Stop) Committee recommendation
- Workforce Investment Board approval
- Contracts and Performance concurrence

From the process, the approved institutions will be forwarded to the Employment Development Department for inclusion on the State's Eligible Training Provider List (ETPL). Only providers and programs that meet specified quality criteria will be listed on the ETPL and will be eligible to receive ITA funding through WIA. The Workforce Investment Board may qualify more than one institution for any given occupational area.

M. Period of Solicitation

This SOI will be issued April 15, 2003. Responses will be due by close of business on May 19, 2003, 5:00 pm. They will be reviewed by staff and, if complete, will be presented to the Employment Resource Center (One-Stop) Committee, Workforce Investment Board meeting.

Following the initial service agreements developed from the SOI, the period of application will only be accepted once a year.

The Workforce Investment Board reserves the right to cancel all or any part of this SOI at any time without prior notice. This SOI does not commit the Workforce Investment Board to award a service agreement. In addition, the Workforce Investment Board reserves the right to accept or not accept any or all applications received in response to this SOI. All expenses incurred by the training provider in anticipation of receiving funding are solely the responsibility of the provider.

Service Agreements and/or ITAs awarded through this solicitation will be based on Workforce Investment Board's needs, program resources, and the needs and choices of participants.

N. Denial and Appeal

- As outlined in Attachments G and H, providers may appeal the decision provided the appeal is in writing and is addressed to the San Bernardino County Workforce Investment Board.
- All appeals must be sent to:

Beverly Wilson
San Bernardino County Workforce Investment Board
215 N. D Street, Suite 201
San Bernardino, CA 92415-0041

O. Application Submittals

Please mail or deliver:

- Five copies of WIA Training Provider Application, one for each unique training program,
- Five copies of WIA Training Program Application, one for each unique training program,
- Five copies of the Training, Employment and Wage Information form – Attachment C,
- Five copies of Statement of Qualifications – Attachment D, and
- Five copies of training institution's current catalog, listing course descriptions of courses to be listed on the ETPL and published fee schedules

to:

Beverly Wilson
San Bernardino County Workforce Investment Board
215 N. D Street, Suite 201
San Bernardino, CA 92415-0041

At least one complete copy of each set of applications must have original signatures. Submittals must be received no later than **5 PM on May 19, 2003** to be considered.

P. Questions

Please contact Beverly Wilson at (909) 381-7906.

Q. Disclosure of Criminal and Civil Proceedings

The County reserves the right to request the information described herein from the vendor selected for contract award. Failure to provide the information may result in a disqualification from the selection process and no award of contract to the vendor. The County also reserves the right to obtain the requested information by way of a background check performed by an investigative firm. The selected vendor also may be requested to provide information to clarify initial responses. Negative information provided or discovered may result in disqualification from the selection process and no award of contract.

The selected vendor may be asked to disclose whether the firm or any of its partners, principals, members, associates or key employees (as that term is defined herein), within the last 10 years, has been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense arising directly or indirectly from the conduct of the firm's business, or whether the firm or any of its partners, principals, members, associates or key employees has, within the last 10 years, been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense involving financial misconduct or fraud. If the response is affirmative, the vendor will be asked to describe any such indictments or charges (and the status thereof), convictions and the surrounding circumstances in detail.

In addition, the selected vendor may be asked to disclose whether the firm or any of its partners, principals, members, associates or key employees, within the last 10 years, has been the subject of legal proceedings, as defined herein, arising directly from the provision of services by the firm of those individuals. "Legal proceedings" means any civil actions filed in a court of competent jurisdiction or any matters filed by an administrative or regulatory body with jurisdiction over the firm or the individuals. If the response is affirmative, the vendor will be asked to describe any such legal proceedings (and the status and disposition thereof) and the surrounding circumstances in detail.

For purposes of this provision, "key employees" includes any individuals providing direct service to the county. "Key employees" does not include clerical personnel providing service at the firm's offices or locations.

R. Insurance

The contractor agrees to indemnify, defend, and hold harmless the County, and its authorized officers, employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or liability arising out of this contract from any cause whatsoever, including the acts, errors, or omissions of any person, and for any costs or expenses incurred by the County on account of any claim therefore, except where such indemnification is prohibited by law.

Without, in any way, affecting the indemnity herein provided and in addition thereto, the contractor shall secure and maintain throughout the contract the following types of insurance with limits as shown:

Workers' Compensation – A program of Workers' Compensation Insurance or a state-approved Self-Insurance Program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with \$250,000 limits, covering all

persons providing services on behalf of the service provider and all risks to such persons under this contract.

If contractor has no employees, it may certify or warrant to County that it does not currently have any employees or individuals who are defined as “employees” under the Labor Code and the requirement for Workers’ Compensation coverage will be waived by the County’s Risk Manager.

With respect to contractors that are non-profit corporations organized under California or Federal law, volunteers for such entities are required to be covered by Workers’ Compensation insurance. If the County’s Risk Manager determines that there is no reasonably priced coverage for volunteers, evidence of participation in a volunteer insurance program may be substituted.

Comprehensive General and Automobile Liability Insurance

- All contractors are required to maintain this coverage to include contractual coverage and automobile liability coverage for owned, hired, and non-owned vehicles. The policy shall have combined single limits for bodily injury and property damage of not less than one million dollars (\$1,000,000).
- Contractors providing transportation services to JESD participants and/or members of their households must provide proof of Comprehensive Automobile Liability coverage for owned, hired and non-owned vehicles. The policy shall have combined single limits for bodily injury and property damage of not less than ten million dollars (\$10,000,000).

Required Policy Endorsements

Additional Named Insured – All policies, **except** for the Workers’ Compensation, Errors and Omissions, and Professional Liability policies, shall contain additional endorsements naming the County and its officers, employees, agents, and volunteers as additional named insured with respect to liabilities arising out of the performance of services hereunder.

NOTE: This endorsement on the certificate and on the actual policy endorsement form(s) **must be worded exactly** as follows: **The County of San Bernardino, its officers, employees, agents, and volunteers are named as additional insured with respect to services provided under Contract.**

ANY VARIATION WILL BE CONSIDERED AS NON-COMPLIANCE.

Waiver of Subrogation Rights – **Except** for Errors and Omissions Liability and Professional Liability, contractors shall require the carriers of the above-required coverages to waive all rights of subrogation against the County, its officers, employees, agents, volunteers, contractors, and subcontractors.

NOTE: This endorsement on the certificate and on the actual policy endorsement form(s) must be worded **exactly** as follows: **Subrogation rights are waived against the County of San Bernardino, its officers, employees, agents, volunteers, contractors, and subcontractors.***

ANY VARIATION WILL BE CONSIDERED AS NON-COMPLIANCE.

*On Workers’ Compensation certificates/policies issued by State Insurance Compensation Fund (SICF), the following alternate language may be substituted: Endorsement #2570 Entitled Waiver

of Subrogation Effective (State Fund inserts the policy's "Effective Date") is attached to and forms part of this policy. THIRD PARTY NAME: County of San Bernardino, JESD, and Its Affiliates.

Policies Primary and Non-Contributory – All policies required above are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County.

The contractor shall immediately furnish certificates of insurance to JESD evidencing the insurance coverage, including endorsements, required above prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without 30 days' written notice to JESD, and the contractor shall maintain such insurance from the time the contractor commences performance of services hereunder until the completion of such services.

Certificates of insurance must indicate the "**Certificate Holder**" as: **County of San Bernardino, JESD @ 215 North D Street, Suite 201, San Bernardino, CA 92415.** Within 60 days of the commencement of this agreement, the contractor shall furnish certified copies of the policies and all endorsements.

Insurance Review

The above insurance requirements are subject to periodic review by the County. The County's Risk Manager is authorized, but not required, to reduce or waive any of the above insurance requirements whenever the Risk Manager determines that any of the above insurance is not available, is unreasonably priced, or is not needed to protect the interests of the County. In addition, if the Risk Manager determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Risk Manager is authorized, but not required, to change the above insurance requirements, to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonable related to the County's risk.

Any such reduction or waiver for the entire term of the contract and any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this contract. The service provider agrees to execute any such amendment within 30days of receipt.

Compliance Letter

Proposers who do not have the above insurance requirements (paragraph II, A-C above) in place and on file with JESD MUST include a letter signed by their insurance agent, on their insurance company's letterhead, stating that the above requirements and language can be met and will be included in a policy if a contract is awarded.

S. DEFINITIONS

<i>Term</i>	<i>Definition</i>
730 Referral Form	The 730 Referral Form is used to refer JESD participants to contracted service providers for possible enrollment in approved activities. The 730 Referral Form will provide the Contractor(s) with information pertaining to a JESD participant's skills, interests, abilities, training goals and supportive services needs.
Assessment	Assessment consists of an appraisal of a participant's work history, employment skills, knowledge, abilities, education, current educational competency level, employability given current skills, physical or mental conditions that limit the ability to participate, local labor market conditions, and need for supportive services.
Assessment Report (AR)	The end product of the assessment process. A primary tool for developing the WtW/CalWORKs plan and the Individual Service Plan (ISP).
Barriers	Temporary or long-term personal or other problems/issues that interfere with participation, employment, or job search.
CalWORKs	The acronym for California Work Opportunity and Responsibility to Kids, implemented through Assembly Bill 1542. In San Bernardino County, this refers to the program formerly known as the GAIN (Greater Avenues for Independence) Program. The GAIN program was discontinued December 31, 1997.
Contractor	An organization selected to enter into an agreement with the County to provide services pursuant to this Contract, and assume the other responsibilities delineated under "Contractor Responsibilities."
Credential	A credential is a nationally recognized degree or certificate or state/locally recognized credential, such as, high school diploma, post-secondary degrees/certificates, recognized skill standards and licensure or industry-recognized certificates.
Demand Occupation	An occupation with a projected labor market growth rate of 25% or more within a given county.
DOL	The acronym for the United States of America's Department of Labor.
EDD	The acronym for Employment Development Department for the State of California.
ETPL	Eligible Training Provider List. Statewide listing of training providers and the services they offer.
Fee for Service(s)	An agreement to pay a specified price for the delivery of specific supplies or services. The price is not subject to any adjustment on the basis of the Contractor's cost experience in performing the contract. See Performance Based Payment.
Hard to Employ	The "hard to employ with demonstrated poor work histories" is defined as those participants with no more than 13 weeks of consecutive full time (FT) unsubsidized employment with the same employer in the past twelve calendar months. Full time employment is described as forty- (40) - hours per week.
HSS	The acronym for (County of San Bernardino) Human Services System.
ISP	Individual Service Plan: An individual plan that is completed for each participant by the Contractor that includes appropriate achievement objectives, appropriate sequence of training services and the need for supportive services.
JESD	The acronym for the County of San Bernardino's Jobs and Employment Services Department.
Job Readiness/ Retention Services	Services designed to provide WtW/CalWORKs participants with the skills and/or support that are necessary for a healthy and secure personal and family environment. These skills include, but are not limited to, self-esteem building, personal and family budgeting, interpersonal communication skills, parenting skills, anger management, conflict resolution and non-medical substance abuse counseling and other non-medical related services.
Labor Market Information	Where and what type of jobs are in a region, a forecast of future job growth, and the qualifications needed to fill expected job openings.

<i>Term</i>	<i>Definition</i>
LWIA	The acronym for the Local Workforce Investment Area. A geographical area within the State of California designated by the Governor for which one entity is identified to address employment and training needs, receive funds, and coordinate program delivery.
LWIB	The acronym for the Local Workforce Investment Board otherwise referred to as the San Bernardino County Workforce Investment Board.
Minor Child	An individual who has not attained 18 years of age, or has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).
Non-Custodial Parent	The unaided parent of a minor child receiving TANF assistance.
Participant	An individual, whom has been determined eligible to participate in and who is receiving services under a program or contract authorized by JESD. The word “participant” may be used interchangeably with the word “recipient”.
Performance Based Payment	A specified total price for the delivery of services. The total payment is divided into two or more “benchmark” payments tied to the performance of the Contractor or participant. All benchmarks must be satisfactorily accomplished before the final payment is made.
PRWORA	The acronym for the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law (P. L.) 104-193, which established the TANF Program.
Program Costs	The necessary and allowable costs directly related to the provision of services associated with the training of eligible participants.
Recipient	A recipient of services from JESD. The word “recipient” may be used interchangeably with the word “participant”.
Request for Proposals (RFP)	The document used to solicit a solution or solutions from potential Contractors for a specific problem or need. Although price is important, originality and effectiveness of the proposal, location, and the background and experience of the proposer are evaluated in addition to the proposed price.
Service Provider	A public agency, private nonprofit organization, or private-for-profit entity that delivers educational, training, employment or supportive services to JESD participants. Used interchangeably with “Contractor.”
Special Needs	Individuals identified as being very low functioning adults and/or having a physical, mental, or learning disability, substance abuse problems, limited English proficiency.
Subsidized Employment	Direct employment with a wage subsidy.
Supportive Services	Services, which are necessary to enable a participant, who cannot afford to pay for such services, to participate in a training program. Payment may be provided for transportation, child care, health care, and other reasonable expenses required for participation in the training program and may be provided in-kind or through cash assistance.
SWIB	The acronym for the State Workforce Investment Board. This board is established by the Governor of California to assist in the development of the State Workforce Plan and provide continuous improvement of the statewide workforce investment system.
TANF	An acronym for Temporary Assistance for Needy Families under which CalWORKs is administered. Formerly known as Aid to Families with Dependent Children (AFDC).
Unsubsidized Employment	Direct employment without a subsidy from JESD or other government agency.
Welfare-to-Work Plan	A plan developed by JESD staff with the participant based on the participant’s assessment. The plan includes specific work activity assignments, the number or hours of participation, and services required that would move the participant into sustained employment. Approved work activities may include subsidized or unsubsidized employment, on-the-job training, job search and job readiness assistance, community service and work experience, and vocational and/or educational training.

<i>Term</i>	<i>Definition</i>
WIA	The acronym for the Workforce Investment Act of 1998. H.R. 1385, the Workforce Investment Act of 1998 (WIA), was signed by President Clinton and enacted into law as P.L. 105-220 on August 7, 1998. This comprehensive reform legislation supersedes the Job Training Partnership Act (JTPA) and amends the Wagner-Peyser Act (Title III). The WIA also contains the Adult Education and Family Literacy Act (Title II), the Rehabilitation Act Amendments of 1998 (Title IV), and the General Provisions contained in Title V of the Act. This federal legislation provides funds from which various JESD programs are derived. Also referred to as the “Act.”
WtW	An acronym for Welfare-to-Work.

